

Introduced by Senator Burton

February 19, 2004

An act to amend Section 2622 of, to add Section 2623 to, and to repeal and add Section 2620 of, the Business and Professions Code, relating to physical therapy.

LEGISLATIVE COUNSEL'S DIGEST

SB 1485, as introduced, Burton. Physical therapy.

Existing law, the Physical Therapy Practice Act, regulates the practice of physical therapy by the Physical Therapy Board of California in the Department of Consumer Affairs, and provides that a violation of the act is a crime. Existing law defines “physical therapy” and “physical therapist” for purposes of the act.

This bill would delete the definition of “physical therapy” and would instead define the “practice of physical therapy.” The bill would provide that this definition would not restrict or prohibit healing arts practitioners from practice within the scope of their license or registration. The bill would also revise the definition of a physical therapist.

This bill would require a physical therapist who has reasonable cause to believe that an individual requires services that are outside of the physical therapist’s scope of practice to immediately refer the individual to an appropriate licensed health care professional or clinic, health dispensary, or health facility.

Because the bill would impose a new requirement on physical therapists, the violation of which would be a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2620 of the Business and Professions
2 Code is repealed.

3 ~~2620. Physical therapy means the art and science of physical~~
4 ~~or corrective rehabilitation or of physical or corrective treatment~~
5 ~~of any bodily or mental condition of any person by the use of the~~
6 ~~physical, chemical, and other properties of heat, light, water,~~
7 ~~electricity, sound, massage, and active, passive, and resistive~~
8 ~~exercise, and shall include physical therapy evaluation, treatment~~
9 ~~planning, instruction and consultative services. The use of~~
10 ~~roentgen rays and radioactive materials, for diagnostic and~~
11 ~~therapeutic purposes, and the use of electricity for surgical~~
12 ~~purposes, including cauterization, are not authorized under the~~
13 ~~term “physical therapy” as used in this chapter, and a license~~
14 ~~issued pursuant to this chapter does not authorize the diagnosis of~~
15 ~~disease.~~

16 SEC. 2. Section 2620 is added to the Business and Professions
17 Code, to read:

18 2620. (a) The “practice of physical therapy” means all of the
19 following:

20 (1) Examining, evaluating, and testing individuals with
21 mechanical, physiological and developmental impairments,
22 functional limitations and disabilities, or other health and
23 movement related conditions in order to determine the physical
24 impairment or movement-related functional limitation, a
25 prognosis, and a plan of therapeutic intervention, and to assess the
26 ongoing effects of intervention.

27 (2) Alleviating movement related impairments, functional
28 limitations, and disabilities by designing, implementing, and
29 modifying therapeutic interventions through the use of the
30 physical, chemical, and other properties of heat, light, water,
31 electricity, sound, massage, and active, passive, and resistive



1 exercise, and shall include physical therapy evaluation, treatment
2 planning, instruction, and consultative services.

3 (3) The use of roentgen rays and radioactive materials, for
4 diagnostic and therapeutic purposes, and the use of electricity for
5 surgical purposes, including cauterization, are not authorized
6 under the term “physical therapy” as used in this chapter.

7 (4) Reducing the risk of injury, impairment, movement related
8 functional limitation, or disability, including the promotion and
9 maintenance of fitness, health, and wellness in populations of all
10 ages.

11 (5) Engaging in administration, consultation, education, and
12 research.

13 (b) Nothing in this section shall be construed to restrict or
14 prohibit healing arts practitioners licensed or registered under this
15 division from practice within the scope of their license or
16 registration.

17 (c) Nothing in this section shall be construed to authorize a
18 physical therapist to diagnose disease.

19 SEC. 3. Section 2622 of the Business and Professions Code
20 is amended to read:

21 2622. “Physical therapist,” ~~or “physiotherapist,” or~~
22 ~~“physical therapy technician”~~ *therapist* means a person ~~who~~
23 ~~practices physical therapy who is licensed pursuant to this chapter~~
24 *to practice physical therapy*. For all purposes of this chapter, the
25 term “physical therapy” and “physiotherapy” shall be deemed
26 identical and interchangeable.

27 SEC. 4. Section 2623 is added to the Business and Professions
28 Code, to read:

29 2623. If a physical therapist has reasonable cause to believe
30 that an individual requires services that are outside of the physical
31 therapist’s scope of practice, the physical therapist shall
32 immediately refer the individual to any of the following:

33 (a) An appropriate health care professional licensed or certified
34 pursuant to Division 2 (commencing with Section 500), pursuant
35 to the Osteopathic Initiative Act, or pursuant to the Chiropractic
36 Initiative Act.

37 (b) An appropriate health care professional certified pursuant
38 to Division 2.5 (commencing with Section 1797) of the Health and
39 Safety Code, or an appropriate clinic, health dispensary, or health

1 facility licensed pursuant to Division 2 (commencing with Section
2 1200) of the Health and Safety Code.

3 SEC. 5. No reimbursement is required by this act pursuant to
4 Section 6 of Article XIII B of the California Constitution because
5 the only costs that may be incurred by a local agency or school
6 district will be incurred because this act creates a new crime or
7 infraction, eliminates a crime or infraction, or changes the penalty
8 for a crime or infraction, within the meaning of Section 17556 of
9 the Government Code, or changes the definition of a crime within
10 the meaning of Section 6 of Article XIII B of the California
11 Constitution.

